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COMMITTEE AGAINST TORTURE

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION

First supplementary reports due in 1992

Addendum

NORWAY*

[25 June 1992]

Introduction

1. Reference is made to the initial report submitted by Norway (CAT/C/5/Add.3 of 19 October 1988, hereinafter referred to as "the Initial Report"). Reference is also made to the General initial part of the reports of Norway, the so-called "core document" (HRI/CORE/1/Add.6). Part I of the Initial Report contains general information on inter alia relevant international instruments ratified by Norway. In addition to the instruments mentioned in the said report, it should be added that Norway ratified the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment on 21 April 1989. On 5 September 1991, Norway ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

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* For the initial report of Norway, see CAT/C/5/Add.3; for its consideration, see CAT/C/SR.12 and 13 and Official Records of the General Assembly, forty-fourth session, Supplement No. 46 (A/44/46), paras. 76-93.

GE.92-12947/4772B (E)

2. As concerns the status of human rights instruments in domestic law (Initial Report, para. 6), reference is made to paragraphs 8-13 of the third periodic report submitted by Norway under article 40 of the International Covenant on Civil and Political Rights (CCPR/C/70/Add.2 of 28 January 1992).

I. INFORMATION ON NEW MEASURES AND NEW DEVELOPMENTS RELATING TO THE IMPLEMENTATION OF THE CONVENTION

Article 2

3. The following may be added to the information given in paragraphs 8 and 12 of Norway's Initial Report regarding special investigative bodies in cases against police officers and officers of the prosecuting authority for offences committed in the course of their duties.

4. Section 67, subsection 5, of Act No. 25 of 22 May 1981 relating to Criminal Procedure (hereinafter referred to as the "Criminal Procedure Act"; see Annex I), entered into force on 18 December 1987. In accordance with this provision, special investigative bodies which are independent of the police and the prosecuting authority have been established in each of the Public Prosecutor districts. During the period 1988-90 a total of 1,236 cases were reported to these bodies. In 103 of the cases, of which 48 were traffic offences, the investigative bodies found reason to believe that a criminal offence had taken place. Twenty of the cases relate to the use of force by the police. Statistics for 1991 are not yet available. Preliminary estimates indicate however that the number of cases reported to the investigative bodies has increased in 1991 compared with previous years.

Article 3

5. The information supplied in Norway's Initial Report still applies. In addition, it should be mentioned that Act No. 64 of 24 June 1988 concerning the Entry of Foreign Nationals into the Kingdom of Norway and Their Presence in the Realm (hereinafter referred to as the Immigration Act; see Annex 2) entered into force on 1 January 1991.

6. With reference to the question asked by the Chairman of the Committee against Torture (CAT/C/SR.12, para. 27) and the answer given (CAT/C/SR.13, para. 23), the following may be added: in addition to section 15 of the Immigration Act, which corresponds with Norway's international obligations concerning non-refoulement, there is also a general provision in section 4 of the Immigration Act which reads as follows:

> "The relationship of the Act to international rules
>
> The Act shall be applied in accordance with international rules by which Norway is bound when these are intended to strengthen the position of a foreign national."

See also paragraph 25 below as concerns cases in which extradition cannot be effected.

Article 4

7. The information supplied in Norway's Initial Report still applies. In addition to the basic provisions prohibiting various forms of violence referred to in the Initial Report (sections 222, 223, 228 and 229 of the General Civil Penal Code of 22 May 1902, hereinafter referred to as the "Penal Code"), the following provisions are also relevant in this context: section 231 states that the maximum penalty for wilful inflicting of serious injury is 15 years' imprisonment. If such an injury was intended and has death as a result, the maximum penalty is 21 years. Section 232 states that intentional injuries that have been inflicted in a particularly painful way carry a maximum sentence of 21 years of imprisonment.

8. A new provision in section 232 was adopted by the Storting on 16 June 1989 and entered into force on 20 July 1989. The section now reads (the new text is underlined):

> "If any felony mentioned in sections 228 to 231 is committed with intent in a specially painful manner or by means of poison or other substances which are highly dangerous to health, or with a knife or other specially dangerous instrument, or under especially aggravating circumstances, a sentence of imprisonment shall always be imposed, and for a felony against section 231 a term of imprisonment not exceeding 21 years may be imposed in every case and otherwise the penalty may be increased by up to three years. The penalty prescribed in section 228, first paragraph, may, however, only be increased by up to six months' imprisonment, while at the same time fines may still be imposed. <u>In deciding whether other especially aggravating circumstances exist, special regard shall be paid to whether the offence has been committed against a defenceless person, whether there was a racial motive, whether it was unprovoked, whether it was committed by several persons jointly, and whether it constitutes ill-treatment</u>."

9. Among other provisions in the Norwegian legislation concerning violence or harassment by people acting in an official capacity, the following may be mentioned.

<u>Military Penal Code of 22 May 1902</u>

10. Section 108 of the Military Penal Code has a special provision concerning violation of the 1949 Geneva Conventions and additional protocols. The text reads as follows:

> "Anyone who contravenes or is accessory to the contravention of provisions relating to the protection of persons or property laid down in
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> (a) The Geneva Conventions of 12 August 1949 concerning the amelioration of the conditions of the wounded, sick and shipwrecked members of armed forces at sea, the treatment of prisoners of war, and the protection of civilian persons in time of war,

(b) the two additional protocols to these Conventions of 10 June 1977,

is liable to imprisonment for up to four years unless the offence is subject to a more severe penalty."

Act No. 7 of 8 April 1981 relating to children and parents

11. This Act contains a general prohibition against all forms of violence against children in section 30, third paragraph. This includes acts of violence performed by teachers (and parents) and other persons acting in an official capacity. The motives for such acts of violence are irrelevant.

Act No. 24 of 13 June 1969 relating to primary schools

12. Section 16, last paragraph, of this Act reads as follows: "Corporal punishment or other degrading treatment must not be used."

Regulations on Limited Access to Use of Coercive Measures and Prohibition of Corporal Punishment within Psychiatric Health Care, Health Care for the Mentally Retarded and Health Care for Epileptics

13. Section 1 of these regulations adopted by Royal Decree of 3 June 1977, reads:

"The patient/client shall be treated with respect for personal dignity and integrity. This also applies when one, in connection with the care of the patient/client, has to restrain or hold him in order to prevent personal injury or substantial material damage. Corporal punishment is not permitted."

These regulations specify the coercive means which may be used when absolutely necessary to prevent a patient from hurting himself or others. These are isolation, which shall not last for more than two hours if the patient is unattended, and mechanical means. Other means shall not be used (section 3). Coercive means may only be used when prescribed by a medical doctor (section 6), and the institution shall keep a record of the use of such means (section 8). The Board of Inspection ensures through regular visits that the regulations are complied with, and makes written reports after each visit.

Level of punishment

14. With reference to the above-mentioned sections of the Penal Code (sections 228-232), and to the answers given in document CAT/C/SR.13 (paras. 12 and 13), it may be noted that the length of prison sentences or the level of other punishment for violent crimes has a wide range. Case-law determines whether a violent crime shall be punished within the lower or the upper range of the various alternatives in the Act. Since there has been no case-law in Norway concerning violence that can be classified as torture since the trials following the Second World War, there are no recent statistics that indicate the level of punishment in such cases.

Public prosecution

15. With reference to Norway's Initial Report (CAT/C/5/Add.3, para. 9) and to a question asked (CAT/C/SR.12, para. 25), the following should be noted: the main rule in the Penal Code (section 77) is that all criminal offences are subject to unconditional public prosecution unless the law itself provides exceptions. All acts of violence within section 229-233 are subject to unconditional public prosecution.

16. Felonies under section 228 are not, as a general rule, subject to unconditional public prosecution, but there are some exceptions. Section 228 was amended in 1988 and now reads as follows (the new text is underlined):

> "Any person who commits personal violence against another or otherwise affronts him bodily, or is accessory thereto is guilty of assault and shall be liable to fines or imprisonment for a term not exceeding six months.
>
> If the assault causes injury to body or health or considerable pain, a term of imprisonment not exceeding three years may be imposed, but not exceeding five years if death or serious injury results.
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> If an assault is retaliated with another assault, or is provoked by a previous assault or insult, it may go unpunished.
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> No public prosecution will be instituted except on the application of the aggrieved person unless:
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> (a) the felony has resulted in someone's death, or
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> (b) the felony is committed against the offender's previous or present spouse or cohabitee, or
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> (c) the felony is committed against the offender's child or the child of the offender's spouse or cohabitee, or
>
> (d) the felony is committed against the offender's kin in the direct line of ascent, or
>
> (e) the prosecution is required in the public interest."

If a violent crime classified under section 228 was also to be regarded as torture, prosecution would be considered to be required in the public interest according to litra (e), and the crime would at the same time be punishable under section 115 of the Penal Code, which relates to public servants who use illegal means to obtain confessions or statements from a defendant.

Article 5

17. In paragraph 22 of Norway's Initial Report (CAT/C/5/Add.3), reference is made to section 12 of the Penal Code, which regulates the territorial application of Norwegian criminal law. The principle of universality is herein applied to a large extent. Norwegian criminal law is applicable not only to acts of torture committed in the realm, but also to such acts committed abroad by any Norwegian national or any person domiciled in Norway.

18. Norwegian criminal law is also, on certain conditions set out in section 12, paragraph 4, applicable to acts committed abroad by a foreigner. Section 12 of the Penal Code reads as follows:

> "Unless it is otherwise specially provided or accepted in an agreement with a foreign State, Norwegian criminal law shall be applicable to acts committed:
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> 1. In the realm, including:
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> (a) any installation or construction placed on the Norwegian part of the continental shelf and used for exploration for or exploitation or storage of submarine natural resources,
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> (b) constructions for the transport of petroleum resources connected with any installation or construction placed on the Norwegian part of the continental shelf,
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> (c) the security zone around such installations and constructions as are mentioned under (a) and (b) above,
>
> (d) any Norwegian vessel (including a Norwegian drilling platform or similar mobile installation) in the open sea, and
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> (e) any Norwegian aircraft outside such areas as are subject to the jurisdiction of any State;
>
> 2. On any Norwegian vessel or aircraft wherever it may be, by a member of its crew or any other person travelling on the vessel or aircraft; the term vessel here also includes a drilling platform or similar mobile installation;
>
> 3. Abroad by any Norwegian national or any person domiciled in Norway when the act
>
> (a) is one of those dealt with in chapters 8, 9, 10, 11, 12, 14, 17, 18, 20, 23, 24, 25, 26 or 33 of this code or sections 135, 141, 142, 144, 169, 192 to 195, 199, 206 to 209, 222 to 225, 227 to 235, 238, 239, 242 to 245, 291, 292, 294 item 2, 318, 326 to 328, 330, last paragraph, 338, 367 to 370, 380, 381 or 423 and in any case when it
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> (b) is a felony or misdemeanour against the Norwegian State or Norwegian State authority, or

(c) is also punishable according to the law of the country in which it is committed;

4. Abroad, by a foreigner when the act either

(a) is one of those dealt with in sections 83, 88, 89, 90, 91, 91 a, 93, 94, 98 to 104, 110 to 132, 148, 149, 150, 151 a, 152 first cf. second paragraph, 152 a, 153 first to fourth paragraphs, 154, 159, 160, 161, 169, 174 to 178, 182 to 185, 187, 189, 190, 192 to 195, 217, 220, 221, 222 to 225, 227 to 229, 231 to 235, 238, 239, 243, 244, 256, 258, 266 to 269, 271, 276, 291, 292, 324, 325, 328, 415 or 423 of this code or sections 1, 2, 3 or 5 of the Act relating to defence secrets, or

(b) is a felony also punishable according to the law of the country in which it is committed, and the offender is resident in the realm or is staying therein.

In cases in which the criminality of an act depends on or is influenced by any actual or intended effect, the act shall be regarded as committed also where such effect has occurred or is intended to be produced."

Article 6

19. As regards offences falling within the jurisdiction of the Norwegian courts (see paras. 17 and 18 above), the rules of the Criminal Procedure Act are applicable. This means, inter alia, that a court may detain a suspect or take other action to ensure his presence provided that the normal conditions applying to such measures are fulfilled.

20. Norway is party to the Vienna Convention on Consular Relations. Article 36 of that Convention requires a State which is holding a national of another State in detention to inform, if the person detained so wishes, the consular post of the sending State without delay of the person's detention and to permit visits by, and communication with, consular officers. The relevant Norwegian authorities have been informed of the obligations under article 36 and have incorporated these into their working guidelines.

Article 7

21. The Penal Code and the Criminal Procedure Act contain provisions to the effect that the Norwegian authorities shall take measures to prosecute criminal offences which fall within the jurisdiction of Norwegian courts. Reference is made inter alia to section 12 of the Penal Code (para. 19) and Part V of the Criminal Procedure Act (Annex 1).

Article 8

22. As concerns paragraph 1 of this article, reference is made to paragraph 24 of Norway's Initial Report (CAT/C/5/Add.3). In addition to the Extradition Act of 13 June 1975, extradition is regulated by the Act of 3 March 1961 concerning extradition to Denmark, Finland, Iceland and Sweden (the Nordic Extradition Act), and by the European Convention on Extradition of 13 December 1957, which Norway ratified on 19 January 1960. Furthermore,

Norway has bilateral agreements on extradition with several States. However, extradition can also be carried out to countries with which Norway does not have such an agreement.

23. Sections 5, 6, 7, 8 and 9 of the Extradition Act, which regulate cases in which extradition cannot take place, read as follows:

"Section 5. Extradition cannot be effected for a political offence. If the matter in question involves an offence that is not of a political nature, extradition may be effected for such an offence if the matter must predominantly be deemed to be of a non-political nature.

"Section 6. Extradition cannot be effected if it must be assumed that there is a risk that the person concerned would, because of race, religion, nationality, political views or other political conditions, be exposed to persecution directed at his life or liberty or otherwise of a serious nature.

"Section 7. Extradition cannot be effected if it would be contrary to fundamental humanitarian considerations, especially because of the age, state of health, or other personal circumstances of the person concerned.

"Section 8.

1. Extradition cannot be effected when judgement has been pronounced, an optional fine or confiscation accepted, or a waiver of prosecution notified in this realm in respect of the act in question.

2. If a prosecution against a person charged is discontinued because of lack of evidence, extradition may only be effected if the conditions prescribed in section 74, first and sixth paragraphs, of the Criminal Procedure Act are fulfilled.

3. If criminal liability for the offence has been decided by a final judgement in a foreign State other than the one that has requested extradition, and if the said State is a signatory to the European Convention of 13 December 1957 on Extradition, the European Convention of 28 May 1970 on the International Validity of Criminal Judgments, or the European Convention of 15 May 1972 on the Transfer of Proceedings in Criminal Matters, the extradition shall be refused if

(a) he is acquitted;

(b) he is found guilty but a penal sanction is not imposed;

(c) the sanction imposed has been completely executed; or

(d) the sanction imposed has ceased to have effect pursuant to the laws of the adjudicating country.

The prohibition against extradition pursuant to this paragraph does not however apply if the act in question is wholly or partly committed in the territory of the requesting State, or in a place equivalent thereto, or

if the act was directed against a person, an institution, or something else of a public nature in the requesting State, or if the perpetrator himself held public office in the said State.

"Section 9. Extradition cannot be effected if the right to prosecute or execute the penalty is time-barred pursuant to Norwegian law."

Article 9

24. Section 24 of the Extradition Act regulates mutual assistance in criminal matters. This section reads as follows:

"1. For the purpose of criminal proceedings in a foreign State it may on application be decided that coercive measures specified in chapters 15 and 16 of the Criminal Procedure Act shall be applicable in the same way as in cases relating to offences of a similar nature which are prosecuted in this realm.

2. The application shall be submitted to the Ministry unless it is otherwise provided in an agreement with a foreign State. The application shall contain information concerning the nature of and the time and place of commission of the criminal act. It may only be granted if it is proved that a decision concerning the use of coercive measures, issued in accordance with the laws of the State concerned, has been made.

3. The application may not be granted if the act with which the prosecution is concerned, or a similar act, is not punishable pursuant to Norwegian law, or if it, pursuant to the provisions of sections 4 to 6, cannot justify extradition. In the event of an application from Denmark, Finland, Iceland or Sweden, it shall, instead of the conditions prescribed in the first sentence, be required that extradition for the act cannot justify extradition pursuant to section 4, item 1, of the Act of 3 March 1961.

4. The Ministry may immediately reject the application if it does not fulfil the conditions laid down in the second paragraph, or it is quite obvious that it will not be granted. If the application is not rejected pursuant to this provision, the case shall be remitted to the prosecuting authority. When the court tries the issue whether there is a legal right to use coercive measures, it will also try the issue whether the conditions prescribed in this section are fulfilled. The provisions of section 17, third paragraph, and section 18, first paragraph, shall apply correspondingly. In connection with an agreement referred to in the first sentence of the second paragraph, it may however be decided that the case may be decided by an authority other than the Ministry.

5. If it is probable that a person who is staying in Norway and who is not charged in the prosecution is entitled to an object that has been seized, delivery of the said object to the authorities of the other country shall be effected on condition that it shall be returned free of charge when the prosecution is concluded."

25. Norway is party to the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959. In general, however, assistance can be given to a foreign State irrespective of whether an agreement on mutual assistance has been concluded or not.

Article 10

26. Reference is made to a question asked by a member of the Committee (CAT/C/SR.12, para. 15), and to the answer provided (CAT/C/SR.13, para. 22).

27. The Police Academy teaches students about human rights-related issues, inter alia on the basis of the United Nations Police-ethical Codex of 17 December 1979. As concerns teaching and practising police interrogation methods, reference is made to paragraphs 30 and 31 below.

28. The Prison Staff School includes information on human rights and torture in several subjects such as psychology, criminology and ethics. The European Prison Rules (adopted by the Committee of Ministers of the Council of Europe on 12 February 1987) are also included in the training of prison staff.

29. There is no systematic training of health personnel on the subject of recognizing and treating victims of torture in basic health and medical educational institutions in Norway. Some teaching on the effects of torture is given to medical students in courses on psychiatry. There are, however, opportunities for further education and specialization in this field for health personnel who work with refugees. The most important institution in this respect is the Psychosocial Centre in Oslo. The Psychosocial Centre is in charge of several Psychosocial Teams which are located in different parts of the country. They offer advisory services and general information concerning refugees and possible effects of torture to all interested health personnel. The Psychosocial Centre was established in 1990 as part of the University of Oslo, and undertakes education, advisory services and research as well as clinical treatment of refugees with psychological problems because of torture.

Article 11

30. In addition to the information supplied in Norway's Initial Report (CAT/C/5/Add.3, paras. 27 and 28) the following may be noted: in the Prosecution Instructions (laid down by Royal Decree of 28 June 1985) there are specific rules as to how the police shall conduct interrogations and examinations. Sections 8-2 (Carrying out the interrogation of the accused), 8-4 (The defence counsel's right to be present during the interrogation), 8-6 (Carrying out the interrogation of witnesses) and 10-4 (Restrictions on the right of examination) are found in Annex 3.

31. All rules and practices regarding the custody of persons in detention, including interrogation and examination, are subject to continuous review by the legal authorities. Complaints about physical or mental harassment or violence during custody are looked into by the special investigative bodies referred to in paragraphs 3 and 4 above.

Article 12

32. In paragraph 29 of Norway's Initial Report (CAT/C/5/Add.3) it is inter alia stated that investigation of allegations of torture follows the ordinary procedure for criminal cases, except for investigation against police officers and officers of the prosecuting authority, for offences committed in the course of their duties. Further information on the regulations concerning such investigation is given in paragraphs 3 and 4 above.

33. Section 77 of the Penal Code reads "Criminal acts shall be subject to public prosecution unless it is otherwise provided". Reference is also made to paragraphs 15 and 16 above.

34. Chapter 18 of the Criminal Procedure Act contains provisions concerning criminal investigation. According to section 224, a criminal investigation shall be carried out when as a result of a report or other circumstances there is reasonable ground to inquire whether there is some criminal matter which is to be prosecuted by the public authorities. Section 226, third paragraph, states that "If a specific person is under suspicion, the investigation shall seek to clarify both the evidence against him and the evidence in his favour". According to section 226, fourth paragraph, the investigation "shall be carried out as rapidly as possible and in such a way that no one is unnecessarily exposed to suspicion or inconvenience".

Article 13

35. Reference is made to paragraphs 7-16 above.

36. With reference to Norway's Initial Report (CAT/C/5/Add.3, para. 32) and to an answer provided (CAT/C/SR.13, para. 21), it should be mentioned that the question of revising the Prison Act of 12 December 1958 (which has been amended several times) is still under consideration.

37. The rules governing the treatment of prisoners are set out in the Prison Act and appurtenant regulations. Prisoners shall have access to the Central Prison Regulations, issued by the Central Prison Board. The internal regulations of each prison, a copy of which shall be present in each cell, therefore contain information on how to obtain access to the Prison Regulations. The Ministry of Justice has decided to have the Prison Regulations translated into English. Copies of the European Prison Rules (see para. 28 above) are available in all prisons. At the larger institutions, these rules are available in various European languages. The prison administration has a duty to make these rules known to the prisoners.

38. The Central Prison Board, which is under the authority of the Ministry of Justice, controls and supervises conditions in Norwegian prisons. Prisoners may make complaints directly to the Prison Board, or through administrative channels. In addition, complaints may be made to the Storting's Ombudsman for Public Administration, as well as to international bodies. The courts may, when requested, try the legality of decisions regarding prison conditions. In addition, prison committees visit prisons unannounced to observe prison conditions and talk to the inmates. The committees are headed by a judge to ensure their objectivity.

Article 14

39. A victim of violence may claim financial compensation from the offender under Act No. 26 of 13 June 1969 relating to Compensation for Damage (see also section 3 of the Criminal Procedure Act). A scheme for compensation from the State for personal injuries caused by punishable acts was established by Royal Decree of 23 January 1981. The regulations laid down by the said Decree, as amended by Royal Decree of 6 December 1985, are found in Annex 4. According to these regulations, the State grants compensation for personal injuries caused by wilful assault or by other punishable acts characterized by violence or the use of force. The regulations apply to cases where injury has been inflicted on Norwegian territory regardless of the nationality of either the victim or the offender. In 1990, a total of NOK 17.4 million was paid in compensation by the State according to these regulations. In 1991 the total compensation paid was approximately NOK 25 million. In this connection it should also be mentioned that Norway ratified the European Convention on the Compensation of Victims of Violent Crimes on 22 June 1992.

Article 15

40. Reference is made to Norway's Initial Report (CAT/C/5/Add.3, para. 34) and to questions asked (CAT/C/SR.12, para. 10), and to answers given (CAT/C/SR.13, para. 16).

41. Although the Criminal Procedure Act does not contain any rules for assessing evidence, it is a basic principle in Norwegian procedural law that witnesses and parties shall make their testimonies directly before the courts. Testimonies made during preliminary investigations may only be quoted at the trial on very limited conditions. If there is a well-founded reason to believe that such a testimony was made under duress or torture, the judge may decide to disregard it as evidence: firstly because there would be good reason to doubt the accuracy or even the truth of such a testimony; and secondly because, if the prosecuting authority were able to have someone convicted on the basis of a violation of the rules set out to protect the interests of the defendant, this would bring the legal system into discredit.

42. Case-law and legislative literature have provided some direction as regards the use of illegally obtained evidence in general. The courts are to consider the seriousness of the illegality concerning the obtaining of the evidence, as well as the seriousness of the crime committed. They should also look at how worthy of protection the offended interests are, and whether the illegal evidence is in favour of the defendant or not. If the court has permitted the use of illegally obtained evidence, or it is discovered later that evidence used during a trial was illegally obtained, this can be used as grounds for appeal related to the procedure. Problems related to these questions seldom arise in practice, probably because the police and the prosecuting authority normally do not use illegally obtained evidence.

Article 16

43. Reference is made to paragraphs 35 and 36 of Norway's Initial Report (CAT/C/5/Add.3) and to the comments made above with regard to article 4 (paras. 7-16).

II. ADDITIONAL INFORMATION REQUESTED BY THE COMMITTEE

44. The information requested by the Committee during its consideration of Norway's Initial Report has to a certain extent been found to be more appropriately placed under the presentation of the relevant articles of the Convention under Part I of this report.

45. In addition mention should be made of the investigations of alleged large-scale police brutality in the City of Bergen, referred to in paragraph 30 of Norway's Initial Report and in paragraph 19 of document CAT/C/SR.13 of 25 April 1989. These investigations were carried out by a public prosecutor and a team of police investigators from Oslo. No evidence of any large-scale police brutality was found. In only one of the 368 cases of alleged abuse that were investigated was sufficient evidence found to charge a police officer with a criminal offence. After these investigations, 15 persons were charged with making false accusations against the police, and 11 of them have been convicted. The investigations of the alleged large-scale police violence in Bergen, and the fact that the prosecuting authorities chose to bring the above-mentioned charges, have given rise to considerable debate and criticism, particularly among members of the legal profession. Concern has also been expressed, for instance by Amnesty International in a letter to the Norwegian Government, that the charges of false accusations against the police may deter people who have complaints to make concerning police ill-treatment from expressing them. The Norwegian authorities have taken due note of Amnesty International's viewpoints in this matter.

List of Annexes*

1. Annex 1: Act No. 25 of 22 May 1981 relating to Legal Procedure in Criminal Cases (Criminal Procedure Act)

2. Annex 2: Act No. 64 of 24 June 1988 concerning the Entry of Foreign Nationals into the Kingdom of Norway and their Presence in the Realm (Immigration Act)

3. Annex 3: The Prosecution Instructions adopted by Royal Decree of 28 June 1985, sections 8-2, 8-4, 8-6 and 10-4

4. Annex 4: Regulations of 23 January 1981 regarding Compensation from the State for Personal Injuries caused by Punishable Acts, amended 6 December 1985

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* These documents, as received in English from the Government of Norway, are available for consultation in the files of the United Nations Centre for Human Rights.